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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,751	08/31/2001	Peeyush Ranjan	INFS117874	1980

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EXAMINER

KYLE, CHARLES R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,751

Applicant(s)

RANJAN ET AL.

Examiner

Charles Kyle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/23/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. They respectively recite elements of a computer readable medium and system in conjunction with preceding method claims. The nature of the claims is as to whether they are apparatus or process claims.

As to Claims 10 and 11, they are vague and indefinite because of the use of the word “remote”. One of ordinary skill in the art would not know what constitutes a “remote” account.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-4, 6-7, 9, 12-14, 16-21, 24-25, 27-31, 33, 34,37, 39-42 and 44-50 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,029,151 *Nikander*.

As to Claim 1, *Nikander* discloses the invention as claimed including in a method for facilitating the processing of a transaction including the transfer of value between a first and a

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second user, said second user associated with a telephonic identifier (Summary of the Invention; Col. 15, lines 30-37), steps of:

obtaining a request from said first user to transfer a quantity of value to said second user, wherein said request includes said telephonic identifier associated with said second user (Col. 2, lines 48-60);

accessing an account corresponding to said first user Col. 2, lines 63-64); and

transferring said quantity of value from said account corresponding to said first user to an account corresponding to said telephonic identifier associated with said second user (Col. 2, lines 65-67).

Note that *Nikander* specifically discloses the transactions processed using a telephone account (identifier) as a credit (deposit) to a user's telephone account at Col. 15, lines 30-37. This is the transfer of value from a first user account to a second user account recited by Claim 1.

As to Claim 3, 24 and 33, *Nikander* discloses a monetary amount at Title, Abstract and Summary of the Invention.

As to Claim 4, 25 and 34, *Nikander* discloses a line of credit (available credit balance on a credit card account) at Col. 7, lines 25-32.

As to Claim 6, 9, 27 and 39, *Nikander* discloses notification at Col. 15, line 30-37 and Col. 6, lines 57-65.

As to Claim 7 and 37, *Nikander* discloses e-mail notification at Col. 15, line 30-37 and Col. 6, lines 57-65.

As to Claim 12, 28, 40, 47 and 48, *Nikander* discloses a proxy at Col. 22-54.

As to Claim 13, 29 and 41, *Nikander* discloses values as credits at Col. 15, lines 30-37.

As to Claims 14, 42, 44 and 16, *Nikander* discloses criteria satisfied before value transfer based on an event at Col. 13, lines 39-57.

As to Claim 17, 30, 45, 49 and 50, *Nikander* discloses a wireless telephone at Col. 16, lines 4-6.

As to Claim 18 and 46, see Abstract.

As to Claim 19, *Nikander* discloses the claimed feature at Col. 2, lines 30-45.

As to Claim 20, *Nikander* discloses a computer which inherently has a processor, a memory and an operating environment at Col. 12, lines 29-67.

As to Claim 21, see the discussion of Claims 1 and 19 and *Nikander* further disclose a carrier interface at Fig. 3 and related text and a user account component at Fig. 3, ele. 122 and Fig. 8.

As to Claim 31, it is a system form of Claim 1 and is rejected in a like manner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5, 8, 10, 11, 15, 22, 23, 26, 32, 36, 38-39 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,029,151 *Nikander*.

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Regarding Claims 2, 23 and 32, *Nikander* discloses the invention substantially as claimed. See the discussion of respective independent Claims. *Nikander* does not specifically disclose a request to fund a first user account. Official Notice is taken that it was old and well known to make such requests. For example, it was known for bank customers to request such funding through the use of deposit tickets to place money in a bank account. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Nikander* to include such a funding request to assure that sufficient funds were available to make payment to the second account.

Regarding Claims 5, 22, 26 and 36, *Nikander* discloses the invention substantially as claimed. See the discussion of respective independent Claims. *Nikander* does not specifically disclose creating an account if none existed. Official Notice is taken that it was old and well known to create an account if none existed. For example, it was known for bank employees to solicit new accounts from customers. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Nikander* to include such a feature to increase bank business.

Regarding Claim 8, 38 and 39, *Nikander* discloses the invention substantially as claimed. See the discussion of respective independent Claims. *Nikander* does not specifically disclose customer preselection of notification. Official Notice is taken that it was old and well known to provide choices to customers in their communication means. For example, it was known for customers to receive financial information from a chosen communication means (internet access, statement or telephone.. It would have been obvious to one of ordinary skill in

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the art at the time of the invention to modify *Nikander* to include such a feature to increase customer flexibility and satisfaction.

As to Claims 10 and 11, Official Notice is taken that by their nature all accounts are “remote”. A bank account or telephone account is “remote” from a customer by virtue of the fact that it is stored at the bank or telephone company where the customer does not reside. In this sense *Nikander* disclose “remote” accounts.

As to Claims 15 and 43, *Nikander* discloses the invention substantially as claimed. See the discussion of respective independent Claims. *Nikander* does not specifically disclose date specific criteria. Official Notice is taken that it was old and well known to transfer value based on date criteria. For example, it was known to transfer value at a specific date in the form of scheduled payments in financial payment software. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Nikander* to include such a feature to allow scheduled payments.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kyle whose telephone number is (571) 272-6746. The examiner can normally be reached on 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

crk
September 13, 2006


CHARLES R. KYLE
PRIMARY EXAMINER